

4. The parties submit this motion for approval of the settlement reached as a result of arm's length negotiations between the parties.¹

5. The settlement reflects a reasonable compromise of issues actually in dispute, the settlement was reached in an adversarial context in which Plaintiffs were represented by competent and experienced counsel, and the totality of the proposed settlement is fair and reasonable.

6. The parties stipulate that payment of the above mentioned settlement amount will be tendered by Defendant upon Court approval of the Joint Motion for Approval of Collective Action Settlement and Dismissal.

WHEREFORE PREMISES CONSIDERED, the parties pray that the Court approves this Motion and dismisses this lawsuit with prejudice.

Respectfully Submitted:

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¹ This Court's approval of the parties' settlement for Plaintiffs' FLSA claims may not be necessary; however, out of an abundance of caution, the parties ask for the Court's approval. *See Martinez v. Bohls Bearing Equip. Co.*, 361 F. Supp. 2d 608 (W.D.Tex. 2005).

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